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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	:	Case No. 2:20-cr-00194-JAD-DJA-3
Plaintiff,	:	
	:	
v.	:	**FIRST STIPULATION TO CONTINUE SENTENCING**
	:	
DANYAR ALARCON RODRIGUEZ,	:	
	:	
Defendant.	:	

IT IS HEREBY STIPULATED AND AGREED, by and between Eric C. Schmale, Assistant United States Attorney, counsel for the United States of America (hereinafter "the Government"), and Nicholas Wooldridge, Wooldridge Law Ltd., counsel for Danyar Alarcon Rodriguez ("the Defendant"), that the sentencing scheduled for September 13, 2021 at 9:30 a.m., be vacated and set to a date and time convenient to the court, but no sooner than sixty (60) days thereafter.

The Stipulation is entered into for the following reasons:

1.   The additional time requested herein is not sought for purposes of delay, but to permit counsel for the defendant to be present at the instant sentencing date. Presently, counsel is scheduled for trial in *State of Nevada v. Ricardo Soto*, C-19-344759-1 before the Eighth Judicial

District Court. In that case, the parties have announced their intention to proceed with trial on that date. Further, counsel for Mr. Rodriguez requires additional time to prepare for the sentencing in this case.

      2.   The Defendant does not object to the continuance.

      3.   The parties agree to the continuance.

      4.   The additional time requested is reasonable pursuant to FRCP 32(b)(2), which states "the court may, for good cause, change any limits prescribed in this rule".

      This is the First Stipulation to continue Sentencing in this matter.

DATED: This 23rd day of August, 2021

WOOLDRIDGE LAW, LTD.   NICHOLAS A. TRUTANICH
                                            U.S. Attorney

By__/s/_Nicholas M. Wooldridge   By_/s/ Eric C. Schmale_____
NICHOLAS M. WOOLDRIDGE   Eric C. Schmale
Counsel for Defendant Danyar Rodriguez   Assistant United States Attorney

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,   :   Case No. Case No. 2:20-cr-00194-JAD-
                                             :   DJA-3

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        Plaintiff,   :

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        v.   :   **ORDER**

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DANYAR ALARCON RODRIGUEZ,   :
                                             :

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        Defendant.   :

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FINDINGS OF FACT

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Based on the pending Stipulation of counsel, and good cause appearing therefore, the

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Court finds that:

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    1.   The additional time requested herein is not sought for purposes of delay, but to

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permit counsel for the defendant to be present at the instant sentencing date. Presently, counsel is

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scheduled for trial in *State of Nevada v. Ricardo Soto*, C-19-344759-1 before the Eighth Judicial

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District Court. In that case, the parties have announced their intention to proceed with trial on

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that date. Further, counsel for Mr. Rodriguez requires additional time to prepare for the

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sentencing in this case.

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    2.   The defendant does not object to the continuance.

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    3.   The parties agree to the continuance.

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This is the First Stipulation to continue the sentencing hearing in this matter.

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CONCLUSIONS OF LAW

The ends of justice are served by granting said continuance since the failure to grant said continuance would be likely to result in a miscarriage of justice.

The additional time requested by this stipulation is reasonable pursuant to FRCP 32(b)(2), which states "the court may, for good cause, change any limits prescribed in this rule".

ORDER

IT IS THEREFORE ORDERED that the sentencing currently set for September 13, 2021 at 9:30 a.m., is vacated and continued to November 22, 2021, at 10:00 a.m.

DATED this 2nd day of September, 2021.

_____
HON. JENNIFER A. DORSEY
UNITED STATES DISTRICT JUDGE